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| 10/006,246 | 12/10/2001 | Yukako Nii | 1035-357 | 9946 |

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EXAMINER

TRUONG, LAN DAI T

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| ART UNIT | PAPER NUMBER |
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2143

DATE MAILED: 09/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/006,246

Applicant(s)

NII ET AL.

Examiner

lan dai thi trung

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>11/01/04; 12/10/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim rejections-35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

1) Claims 1-4, 8, 10-19, 27, 31-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Joao (U.S. 6,549,130), “Joao”, herein after.

Regarding to claim 12, which is exemplary with claims 1-4, 8, 10-11, 16-17, 31-33:

Joao discloses the invention substantially as claimed, including a method, apparatus and system, which can be implemented in a computer hardware or software code for an inside-vehicle information communication, comprising:

An inside-vehicle information communication apparatus which is provided in a vehicle so as to transmit and receive information to and from an electric device possessed by a user of the vehicle: (Joao discloses a communication between “a portable transceiver” which is equivalent to “a electric device” such as personal computer and “a receiver” which is equivalent to “a server”: column 3, lines 15-36; column 5, lines 5-67)

An electric device: (a portable transceiver: column 3, lines 15-36)

Said communication means for transmitting and receiving the information to and from the electric device and a managing section (a) for outputting a request for vehicle using right information, possessed by the user, to the electric device possessed by the user, upon receipt of a request for connection outputted from the electric device: (Joao discloses the transceiver transmits access codes or command codes, all of them are input by a user to the receiver for authentication steps: column 6, lines 16-67)

(b) For receiving the vehicle using right information via the communication means: (a CPU is electronically connected with the receiver for sending the responses to user data commands, data transmissions: column 4, lines 1-41)

(c) For confirming whether the user has the using right or not in accordance with the vehicle using right information, and (d) for allowing an electric device having the using right to be connected to the inside-vehicle information communication apparatus: (the communication system is activated after authentication is successful: column 3, lines 15-30)

Said electric device including: (a) a radio section for transmitting and receiving information to and from communication means of the inside-vehicle information communication apparatus: (Joao discloses the transceiver transmits the access codes and the command codes in forms of radio signals: column 19, line 15-25)

(b) A memory section for saving vehicle using right information and private information: (Although Joao does not explicitly disclose there is a memory section; however this feature is deemed to be inherent to the Joao's system in order to save the user access codes or command codes in to personal computer before transmitting them to vehicle system receiver for authentication, see (Joao: column 19, line 15-25).

(c) A controlling section for controlling the radio section and the memory section:

(Although Joao does not explicitly disclose there is controlling section; however this feature is deemed to be inherent to the Joao's system in order to control the association between radio section and the memory section, see column 19, line 15-25)

Regarding to claim 13, which is exemplary with claim 14:

Joao discloses the invention substantially as claimed, including a system, which can be implemented in a computer hardware or software code for an inside-vehicle information communication, comprising:

A vehicle for carrying users: (Joao discloses an inside-vehicle information comprising vehicle, motor vehicle, marine vessel, aircraft: column 4, lines 50-51)

An inside-vehicle information communication apparatus which is provided in a vehicle so as to transmit and receive information to and from an electric device possessed by a user of the vehicle, said inside-vehicle information communication apparatus including: communication means for transmitting and receiving the information to and from the electric device; and a managing section (a) for outputting a request for vehicle using right information, possessed by the user, to the electric device possessed by the user, upon receipt of a request for connection outputted from the electric device: (Joao discloses the transceiver transmits the access codes or the command codes, all of them are input by user to receiver for authentication: column 6, lines 16-67)

(b) for receiving the vehicle using right information via the communication means: (The CPU which is electronically connected with the receiver for sending responses to a user data commands, data transmissions: column 4, lines 1-41)

(c) For confirming whether the user has the using right or not in accordance with the vehicle using right information, and (d) for allowing an electric device having the using right to be connected to the inside-vehicle information communication apparatus: (the communication system is activated after authentication is successful: column 3, lines 15-30)

Regarding to claim 15:

Joao discloses a method as discuss in claim 12, which further includes wherein said electric device is possessed by each user, and is portable: (Joao discloses the transceiver may not physical connected to the remainder of the apparatus. The transceiver may be personal computer and wirelessly communicates with the receiver: column 3, lines 30-37)

Regarding to claim 18:

Joao discloses the invention substantially as claimed, including a system, which can be implemented in a computer hardware or software code for an inside-vehicle information communication, comprising:

The information communication terminal which has (a) reading means for reading a using condition to use the system from a first information recording medium in which the using condition is recorded: (Joao discloses the communication between the portable transceiver which is equivalent to “an information communication terminal” and the receiver which is equivalent to “a server.” The users input their access codes and command codes into the transceiver get the authorization and establish a communication session: column 3, lines 15-36; column 5, lines 5-67)

(b) Transmitting means for transmitting the using condition, read by reading means, to the server: (The access codes and command codes are transmitted to the receiver, and the CPU

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(central processing unit) which is electronically connected with the receiver responses to the user data commands, data transmissions: column 4, lines 1-41)

The server which has (a) memory means for storing the using condition to use the system: (Joao discloses the CPU has associated therewith memories: column 4, lines 1-10)

(b) A first checking means for checking the using condition, transmitted from the transmitting means, with the using condition, stored in the memory means, and communication controlling means which enables information communication, performed between the server and the information communication terminal, only in a case where the first checking means judges the both using conditions are identical to each other: (Joao discloses the users access codes and command codes are transmitted from the transceiver to the receiver, and then they are read by the CPU for identification and further process: column 4, lines 1-62; column 6, lines 18-36)

Regarding to claim 19:

Joao discloses the invention substantially as claimed, including a system, which can be implemented in a computer hardware or software code for an inside-vehicle information communication, comprising:

The server which has (a) external communication means for performing the information communication with a information communication apparatus outside the vehicle: (Joao discloses after authentication is successful, the communication system allows the vehicle owner to transmit signals directly to the central equipments such as "satellite" which means "external communication" for further processing: column 10, lines 1-10)

(b) Memory means for saving identification information of a portable communication terminal connected to the information communication terminal; and means for performing a

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relay with respect to communication performed between the information communication apparatus and the portable communication terminal, or receiving information transmitted from the information communication apparatus, instead of the portable communication terminal, in a case where the external communication means receives the information transmitted from the information communication apparatus to the portable communication terminal, the information being the identification information stored in the memory means: (Joao discloses the CPU has associated therewith memories. The users access codes and command codes are transmitted from the transceiver to the receiver, they are read by the CPU for identification and further process: column 4, lines 1-62; column 6, lines 18-36)

Regarding to claim 27:

Joao discloses a method as discuss in claim 19, which further includes switching means for cutting off a connection between the portable communication terminal and the server so as to reconnect said portable communication terminal to another portable communication terminal, wherein said switching means cuts off the connection between the portable communication terminal and the server, after the information communication performed between the server and the portable communication terminal is finished, and reconnects said portable communication terminal to another portable communication terminal: (Joao discloses the command codes can be disable and then re-enable or reset: column 6, lines 37-47)

2) Claims 23-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Goldman et al. (U.S. 6,430,488), "Goldman", herein after.

Regarding to claim 23, which is exemplary with claim 24:

Goldman discloses the invention substantially as claimed, including an apparatus, which can be implemented in a computer hardware or software code for an inside-vehicle information communication wherein a first recording medium storing a using condition to use a vehicle-provided communication network system in which information communication is performed between a server and an information communication terminal; and sets a first using condition to use the vehicle-provided communication network system and a second using condition to use the vehicle in advance, comprising, comprising:

A third reading means for reading a third using condition from a second information recording medium in which the third using condition to use the vehicle is stored; a second reading means for reading the second using condition that has been set; a second checking means for checking the second using condition, read by the second reading means, with the third using condition, read by the third reading means; a first reading means for reading the first using condition that has been set: (Goldman disclose vehicle controller implements setting records in a storage device: column 3, lines 1-67; column 4, lines 1-6)

First recording means for recording the first using condition in the first recording medium, wherein said recording means records the first using condition in the first information recording medium, when the second checking means judges that the second using condition is identical to the third using condition: (Goldman discloses a method for recording settings of a plurality of functional devices in a vehicle. The settings could be customized by the owner of vehicle via entering the commands into the storage device: column 3, lines 1-5)

Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3) Claims 20-22 are rejected under 35 U.S.C 103(a) as being un-patentable over Joao in view of Sehr (U.S. 6,910,628)

Regarding to claim 20, which is exemplary with claim 21:

Joao discloses the invention substantially as disclosed in claim 18, wherein said server further includes: external communication such as satellite means for performing the information communication with the information communication apparatus such as portable personal computer outside the vehicle but does not explicitly teach storing means for storing information received via the external communication means from the information communication apparatus, before or after the information communication performed between the server and the information communication terminal begins, said information communication terminal using the information stored in the storing means after the information communication performed between the server and the information communication terminal begins.

However, Sehr discloses a method of communication between passengers those are represented by “portable card devices” which is equivalent to “electric devices” and “card station” which is equivalent to “server” and “service providers” which is equivalent to “external communication means.” Sehr discloses the card station comprises a database which stores the

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data and information relating to the travel services and transportation means available for selection: column 5, lines 53-67; column 6, lines 1-19; column 3, lines 60-67; column 4, lines 1-67)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Sehr's ideas of card station with Joao's system in order to store, data and information relating to the travel services and transportation means available for selection to the provider of transportation means and the passenger making the reservation, see (Sehr: column 5, lines 53-67)

Regarding to claim 22:

In addition to rejection in claim 20, Joao - Sehr further discloses wherein said server includes assigning information registration means for registering assigning information to assign information, and obtains information assigned by the assigning information via said external communication means from the information communication apparatus outside the vehicle, after the information communication performed between the server and the information communication terminal begins: (Sehr discloses the card station that comprises "the passenger reservations" which is equivalent to "assigning information registration" such as unique identification number for the passengers or providers, security keys, access codes and various validation codes: column 5, lines 53-67; column 6, lines 1-19)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Sehr's ideas of using card station with Joao's system in order to store data and information, those are relating to the travel services and transportation means

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available for selection to the provider of transportation means and for the passenger making the reservation, see (Sehr: column 5, lines 53-67)

4) Claims 25, 26 are rejected under 35 U.S.C 103(a) as being un-patentable over Joao in view of McDonald (U.S. 5,633,621)

Regarding to claim 25, which is exemplary with claim 26:

Joao discloses the invention substantially as disclosed in claim 18, but does not explicitly teach wherein said server includes deleting means for deleting information, and the deleting means deletes information, that has been processed by the information communication terminal, after the information communication, performed between the server and the information communication terminal, is finished

However, McDonald discloses evacuation assistance locator, wherein the expired location information is deleted from memory, see (McDonald: column 4, lines 47-67)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine McDonald's ideas of deleting expired location information with Joao's system in order to save memory

5) Claims 5-7, 9 and 28-30 are rejected under 35 U.S.C 103(a) as being un-patentable over Joao in view of Goldman et al. (U.S. 6,430,488)

Regarding to claims 5, 7 which is exemplary with claims 6 and 9:

Joao discloses the invention substantially as disclosed in claim 3, but does not explicitly teach causing the server, provided in the vehicle, to specify a time and/or geographical range, in which the server can be used, with respect to each of the electric devices allowed to be connected to the server, in accordance with the vehicle using right information that have been inputted and

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the transportation information concerning the transportation of the vehicle that is stored in the server; and performing a specific process with respect to the electric device, when the electric device is to be away from the time and/or geographical range in which the server can be used.

However, Goldman discloses restricted driving location. The vehicle owner can customize the setting records. For example, a driver may be rejected from entering prohibited locations those are set by vehicle owner: column 9, lines 39-64)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Goldman's ideas of setting location restriction with Joao's system in order to limit location violation, see (Goldman: column 10, lines 1-4)

Regarding to claim 29:

Joao discloses the invention substantially as disclosed in claim 19, but does not explicitly teach deleting means for deleting the using condition or the identification information stored in the memory means, wherein the first information recording medium further stores information concerning a term of validity in which the first information recording medium can be used, and the deleting means deletes the using condition or the identification information stored in the memory means after the term of validity has passed

However, Goldman discloses a card given to a parking attendant may be caused to "become worthless after a period of time," which is shared functionality with "deletes the using condition after the term of validity has passed", see (Goldman: column 9, lines 28-37)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Goldman's ideas of setting expiration date for a card with Joao's

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system in order to caused system to “become worthless after a period of time, see (Goldman: column 9, lines 28-37)

Regarding to claim 30:

Joao discloses the invention substantially as disclosed in claim 18, but does not explicitly teach setting means for setting a information communication environment, wherein said environment setting means sets a same information communication environment with respect to plural users of the vehicle, or sets the same information communication environment in accordance with the information recorded in the first information recording medium

However, Goldman discloses restricted driving location. The vehicle owner can customize the setting records. For example, the driver may be rejected from entering prohibited locations those are set by the vehicle owner: column 9, lines 39-64)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Goldman’s ideas of setting location restriction with Joao’s system in order to limit location violation, see (Goldman: column 10, lines 1-4)

Regarding to claim 28:

Joao discloses the invention substantially as disclosed in claim 19, but does not explicitly teach setting means for setting start time when the relay begins, wherein said server begins to relay communication performed between the information communication apparatus outside the vehicle and the portable communication terminal at the start time settled by said start setting means

However, Goldman discloses a global positioning system, which can be reformatted and automatically adjust for time zone, see (Goldman: column 8, lines 22-31)

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Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Goldman's ideas of setting location restriction with Joao's system in order to provide the time of day information, see (Goldman: column 8, lines 22-31)

Conclusion

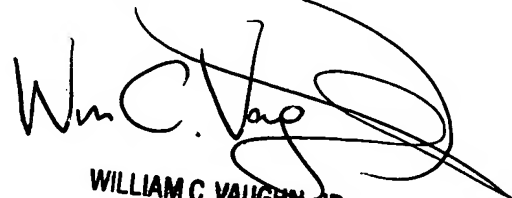
Any inquiry concerning this communication or earlier communications from the examiner should be directed to lan dai thi truong whose telephone number is 571-272-7959. The examiner can normally be reached on monday- friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ldt
09/09/2005

Lan Dai Thi Truong
Examiner
Art Unit 2143


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